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7 8	Attorneys for Defendants KEITH G. BAXTER, RONALD J. GOEDDE, CHARLES J. KITTRELL and RICHARD D. NYE			
9	UNITED STATES DISTRICT COURT			
10	NORTHERN DISTRICT OF CALIFORNIA			
11	SAN FRANCISCO DIVISION			
12				
13	In re CORNERSTONE PROPANE	Master File No. C03-2522 MHP		
14	PARTNERS LP SECURITIES LITIGATION,	CLASS ACTION		
15		DECLARATION OF GRANT P. FONDO IN		
16	This Document Relates To:	SUPPORT OF OFFICER DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION		
17	ALL ACTIONS	FOR CLASS CERTIFICATION AND REQUEST FOR JUDICIAL NOTICE		
18		Hearing: December 5, 2005 Time: 2:00 p.m.		
19		Trial Date: Not yet set		
20		Judge: Hon. Marilyn Hall Patel		
21	Grant P. Fondo declares and states as fo	llows:		
22	1. I am an attorney at law duly licensed to practice in the state of California. I am with			
23	the law firm of Cooley Godward LLP, counsel for Officer Defendants Keith G. Baxter, Ronald J			
24	Goedde, Charles J. Kittrell, and Richard D. Nye ("Officer Defendants"). I have persona			
25	knowledge of the facts set forth herein and, if called and sworn as a witness, could and would			
26	testify competently thereto.			
27	2. Attached hereto as Exhibit A is a true and correct copy of excerpts of Gilbert H			
28	Lamphere's deposition transcript taken October 17, 2005.			
ARD LLP LAW	Master File No. C03-2522 MHP	DECLARATION OF GRANT P. FONDO IN SUPPORT		

COOLEY GODWA ATTORNEYS AT 1 PALO ALTO

1	3. Attached hereto as Exhibit B is a true and correct copy of Gilbert H. Lamphere		
2	biography, Bates labeled GHL00011.		
3	4. Attached hereto as Exhibit C is a true and correct copy of Gilbert H. Lamphere		
4	"Cornerstone Summary," Bates labeled GHL00012, redacted for Lead Plaintiff's confidentiality		
5	5. Attached hereto as Exhibit D is a true and correct copy of Cornerstone's Form 10-K for		
6	the year ended June 30, 1998 filed with the SEC on September 28, 1998.		
7	6. Attached hereto as Exhibit E is a true and correct copy of Cornerstone's Form 10-K fo		
8	the year ended June 30, 1999 filed with the SEC on September 28, 1999.		
9	7. Attached hereto as Exhibit F is a true and correct copy of Cornerstone's Form 10-K fo		
10	the year ended June 30, 2000 filed with the SEC on September 28, 2000.		
11	8. Attached hereto as Exhibit G is a true and correct copy of the press release dated		
12	August 6, 1998, entitled "CornerStone Announces Higher Fourth Quarter Earnings; EBITDA up		
13	157% Over the Same Period Last Year."		
14	9. Attached hereto as Exhibit H is a true and correct copy of the press release dated		
15	November 4, 1998, entitled "CornerStone Exceeds First Call's Earnings Estimate for the First		
16	Quarter of Fiscal 1999 by 4.2% or \$.02 Per Unit."		
17	10. Attached hereto as Exhibit I is a true and correct copy of the press release entitled		
18	"CornerStone Announces Weather-Affected Second Quarter Earnings," cited in the Complaint a		
19	¶ 24 as February 3, 1999.		
20	11. Attached hereto as Exhibit J is a true and correct copy of the press release dated May 3		
21	1999, entitled "CornerStone Propane Partners, L.P. Reports 46% Increase in EBITDA for Third		
22	Quarter of Fiscal 1999."		
23	12. Attached hereto as Exhibit K is a true and correct copy of the press release dated		
24	August 4, 1999, entitled "Fourth Quarter Earnings."		
25	13. Attached hereto as Exhibit L is a true and correct copy of the press release dated		
26	November 2, 1999, entitled "First Quarter Earnings CornerStone Propane Partners, L.P. Reports		
27	70% Increase in Earnings Before Interest, Taxes, Depreciation and Amortization For the First		
28	Quarter of Fiscal 2000."		
LLP	Master File No. C03-2522 MHP DECLARATION OF GRANT P. FONDO IN SUPPORT		

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1	14.	Attached hereto as Exhibit M is a	true and correct copy of the press release dated
2	February 3, 2000, entitled "CornerStone Propane Partners, L.P. Reports 73% Increase in Earning		
3	Before Interest, Taxes, Depreciation and Amortization for the Second Quarter of Fiscal 2000,"		
4	cited in the Complaint at ¶ 132 as February 2, 2000.		
5	15. Attached hereto as Exhibit N is a true and correct copy of the press release dated May		
6	3, 2000, entitled "CornerStone Propane Partners, L.P. Reports 11% Increase in Earnings Before		
7	Interest, Taxes, Depreciation and Amortization for FY 2000 Third Quarter."		
8	16.	Attached hereto as Exhibit O is	a true and correct copy of the press release dated
9	August 2	2, 2000, entitled "CornerStone Prop	pane Partners, L.P. Announces Results for FY 2000
10	and 4th (Quarter 2000."	
11			
12			
13	Dated: (October 28, 2005	COOLEY GODWARD LLP
14			
15			/s/
16			GRANT P. FONDO
17			Attorneys for Defendants KEITH G. BAXTER, RONALD J. GOEDDE,
18			CHARLES J. KITTRELL, and RICHARD D. NYE
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DECLARATION OF GRANT P. FONDO IN SUPPORT OF OFFICER DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR CLASS CERTIFICATION